



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3353
Fax: (410) 887-5708

December 26, 1995

Richard C.B. Woods, Esquire
808 Upper Glencoe Road
Sparks, Maryland 21152

RE: Case No. 96-229-X
10 Joel Court
Reisterstown, Maryland
Hearing for
Special Exception

Dear Mr. Woods:

This is to advise you that the above referenced hearing scheduled for January 3, 1996 has been postponed.

You will be notified when the hearing is rescheduled.

Sincerely,


Arnold Jablon
Director

AJ/tcm

c: Mrs. Langman
Ms. Carol Ritter
Ms. Diane Bozel
Ms. Joanne Czajkowski

POSTPONED

#231



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 10 Joel Ct. Reisterstown, Md. 21136

which is presently zoned RC5

This Petition shall be filed with the Department of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a horticular nursery, with accessory landscaping services, subject to all applicable regulations as stated in the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

Fermin O. Elliott

(Type or Print Name)

Fermin O. Elliott

Signature

Melanie A. Elliott

(Type or Print Name)

Melanie A. Elliott

Signature

10 Joel Ct. W-410-965-6565
Address Phone No.
Reisterstown, Md. 21136
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3 hr.
unavailable for Hearing

the following dates _____ Next Two Months

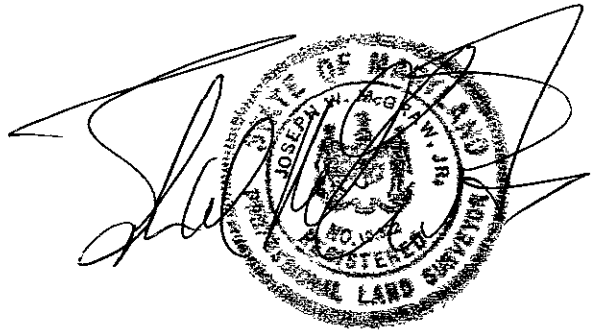
ALL ☒ OTHER ☐

REVIEWED BY: mjk DATE 12/1/95



ZONING DESCRIPTION

Beginning at a point on the south side of Joel Court, which is a variable width right of way at the distance of 875.46 feet south of the centerline of the nearest improved intersecting street, Ridge Road, which is 70 feet wide. Thence the following courses and distances: S12 20'42"W 468.60 ft., S03 20'42"W 120 ft., S17 13'07"E 38.80 ft., S64 01'34"E 364.00 ft., S30 52'48"W 494.24 ft., N73 37'51"W 355.58 ft., N23 39'05"E 419.83 ft., N45 06'07"E 104.52 ft., N03 20'42"E 183.59 ft., N12 20'42"E 466.22 ft., and by a curve to left with radius of 50 ft., and arc length of 10.51 ft. to the place of beginning as recorded in Deed Liber 10772, Folio 668. Being Lot 21, in the subdivision of Fox Ridge Estates as recorded in Baltimore County Plat Book # 59, Folio #29, containing 203,033.16 square feet or 4.661 acres. Also known as #10 Joel Court and located in the 8TH Election District.



#231

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-219-X

District tbl Date of Posting 12/12/95
Posted for: Special Exception
Petitioner: Fermin & Marie Elliott
Location of property: 10 Joel Court
Location of Sign: Leaving no delay on property being no no
Remarks: _____
Posted by M. Heston Date of return: 12/12/95
Signature
Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-229-X

(Item 231)

10 Joel Court

S/S Joel Court, 875.46' S of c/l

Ridge Road

8th Election District

3rd Councilmanic

Legal Owner(s):

Fermin O. Elliott and Melanie

A. Elliott

Hearing: Wednesday, January 3, 1996 at 10:00 a.m. in Rm. 118, Old Courthouse.

Special Exception: for a horticultural nursery, with accessory landscaping services.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

TOWSON, MD.,

12/15, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/14, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

Publisher



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

011166

DATE 12/1/95

ACCOUNT 01-615

Item: 231
By. MJK

AMOUNT \$ 335.00

RECEIVED Elliot, Fernin - 10 JOC

FROM:

050 - Special Exceptions - \$ 300.00
050 - 1 sign - \$ 35.00

FOR:

\$ 335.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 231 Petitioner: Elliott, Fermin

Location: 10 Joel Court

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Elliott, Fermin

ADDRESS: 10 Joel Court

Reisterstown, MD. 21136

PHONE NUMBER: 252-2631



TO: PUTUXENT PUBLISHING COMPANY

December 14, 1995 Issue - Jeffersonian

Please forward billing to:

Fermin O. Elliott
10 Joel Court
Reisterstown, MD 21136
252-2631

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-229-X (Item 231)

10 Joel Court

S/S Joel Court, 875.46' S of c/l Ridge Road

8th Election District - 3rd Councilmanic

Legal Owner: Fermin O. Elliott and Melanie A. Elliott

Special Exception for a horticular nursery, with accessory landscaping services.

HEARING: WEDNESDAY, JANUARY 3, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: December 12, 1995

FROM: James H. Thompson - HR
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 231 96-229-X
PETITIONER: Fermin O. Elliott and Melanine A. Elliott

VIOLATION CASE NO.: C-96-1299

LOCATION OF VIOLATION: 10 Joel Court
Reisterstown, Maryland 21136
8th Election District

DEFENDANTS: Fermin O. Elliott and Melanie A. Elliott
10 Joel Court
Reisterstown, Maryland 21136

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
Mrs. Langman	9 Joel Ct. Reisterstown, MD. 21136
Ms. Carol Ritter	3 Joel Ct. Reisterstown, MD. 21136
Ms. Diane Bozel	11 Joel Ct. Reisterstown, MD. 21136
Ms. Joanne Czajkowski	6 Joel Ct. Reisterstown, MD. 21136
Richard C.B. Woods, Esquire	808 Upper Glencoe Rd. Sparks, MD. 21152

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/HR/hek

*Case file
not sent on
Hearing P.P. 1/3/96*

RE: PETITION FOR SPECIAL EXCEPTION
10 Joel Court, S/S Joel Court, 875.46'
S of c/l Ridge Road, 8th Election
District - 3rd Councilmanic

Fermin and Melanie Elliott
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-229-X
*
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Youn

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of December, 1995, a copy of the foregoing Entry of Appearance was mailed to Fermin and Melanie Elliott, 10 Joel Court, Reisterstown, MD 21136, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

2/26/96
cg
to JT

uary 26, 1996

Jim Thompson

n: Fermin & Melanie Elliott

ject: Zoning request for a Special Exception for Horticultural Nursery
10 Joel Ct., Reisterstown, Md. 21136

Thompson

your conversation with Melanie, this note is a notification to Baltimore County Zoning that landscapers currently renting our barn at 10 Joel Ct , Reisterstown Md 21136 will be leaving rtly We have requested that they remove any of their equipment requiring daily ingress/egress he barn by April 1, 1996.

rmin Elliott

December 22, 1995

TO: Mr. Arnold Jablon, Director of Permits and Development
Management

From: Fermin & Melanie Elliott
10 Joel Ct.
Reisterstown, Md. 21136

Re: Case Number: 96-229-x (Item 231)
10 Joel Ct.
S/S Joel Ct, 875.46' S of c/1 Ridge Road
8th Election District - 3rd Councilmanic

Special Exception for a horticultural nursery, with accessory
landscaping services.

Hearing: Wednesday, Jan 3, 19996 at 10:00 a.m. in Room 118, Old
Courthouse.

Dear Mr. Jablon:

I'm writing you to request a postponement of the scheduled
hearing for the special exception we had filed, for a
horticultural nursery with accessory landscaping services, on Jan
3, 1996. Several issues have arisen recently, which have not yet
been resolved, but have a direct impact on our hearing.

We had filed for the special exception in response to a zoning
violation we had received regarding the usage of a barn on our
property based on complaints from several of our neighbors. Our
agreement with Zoning was to have our special exception filed by
December 1, 1995, which we did. What caught us by surprise is
that our neighbors filed to down zone our property from RC5 to
RC2 within the Comprehensive Zoning Cycle. My wife, Melanie, who
is Secretary of the Falls Road Community Association (FRCA) was
shocked to see our property as one of the agenda items for the
Baltimore County 1996 Comprehensive Zoning Map Issues of Interest
to FRCA during their meeting on November 9, 1995. This filing was
done completely unbeknownst to us.

Consequently, this down zoning development changed our
perspective on the entire matter of filing for the special
exception. We knew we had to submit the paperwork for the special
exception, which we did by November 30, 1995. However, we were
equally concerned with the down zoning of our property. After
discussions with Mr. Rob Hoffman, a zoning attorney, we
determined that our neighbors wanted to restrict our ability to
subdivide our property (this guess was later corroborated by a
neighbor during a conversation with my wife).

We now feel that we may instead go ahead and attempt to subdivide
our 4.66 acre property, sell and move from the neighborhood. This
of course would preclude the need for the special exception.

However, we are still in the process of discussing the subdivision with engineers, builders and people in your office to see, if in fact, it is possible to subdivide. We know we have the density but there are questions regarding the sharing of a panhandle. Also, Gary Kearns of the Comprehensive Zoning Council was scheduled to visit us to inspect our property and to form an opinion on the Comprehensive Zoning Cycle issue of down zoning. Due to inclement weather, Gary had to cancel the visit. Now, because of the holidays, bad weather and extent of information we have to gather, we know we will not have all the facts regarding our subdivision interests before the Jan 3, 1996 hearing.

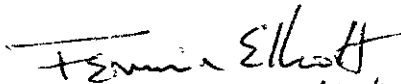
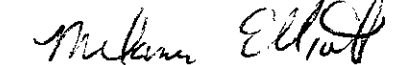
That is the long-winded explanation for why we are requesting a postponement of our hearing for a special exception. Once we know we can definitely subdivide, we will probably pursue that effort and withdraw our special exception. If we were to subdivide, the barn at issue would be converted to a house and should therefore not be a problem to our neighbors. However, if we are unable to subdivide, then we will pursue the special exception.

Thank you for your consideration and if you or your staff need to contact me or my wife, we can be reached at the following numbers.

Home - 252-2631

Work - 965-6565.

Sincerely,

Mr Elliott called + said
1st
Very Important

That 7/21, respond
As soon as possible

12-26-95

Spoke to Mrs Elliott. Told her
AJ agreed to PP. They will come
+ pick up PP sticker for sign
tomorrow.

Sophie

PER AJ, Tara will be sending
letters to names on violation memo.
12.28.95 ZONING COMM. NOTIFIED. y.w.

Diary
for dismissal